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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/878,406 | 06/12/2001 | Hiroaki Takeyama | 209315US2 | 2315 |
| 22850 | 7590 | 03/30/2005 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | PHUNKULH, BOB A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2661 | |

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/878,406

Applicant(s)

TAKEYAMA ET AL.

Examiner

Bob A. Phunkulh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-20 is/are rejected.
- 7) ☒ Claim(s) 6-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/19/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 12-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Petite et al. (US 6,437,692), hereinafter Petite.

Regarding claim 1, the Petite discloses a communication system comprising:

a local terminal apparatus connected with a local network provided in a predetermined facility (the plurality of sensor/actuator in system 1, see figure 10);

a remote terminal apparatus connected with an external network (monitor/control remote services 1010 and the server 530 connected to the WAN network 230, see figure 10); and

a control apparatus interposed between the local network and the external network (local gateway in system 1, see figure 10),

wherein the local terminal apparatus comprises:

processing executing means for executing a predetermined processing; and
reply means for returning an answer signal including a status information of said processing executing means via the local network in response to a request signal

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received via the local network (the control messages or signals send by the server 530 is received by the transceiver and a response, ping message, is sent back to the server 530 to determine the health of the transceiver, see col. 14 lines 51 to col. 15 line 64);

wherein said remote terminal apparatus comprises:

input means for inputting a predetermined operation;

transceiver means for transmitting the request signal including control information corresponding to an operation inputted by said input means via the external network, and receiving an answer signal corresponding to the request signal via the local network; and information output means for outputting the status information included in the answer signal received by said transceiver means (the server 530 generates control messages for the transceivers connected to the plurality of gateways in systems 1-n; and receiving the response to the control signals, see figure 10 and col. 14 line 51 to col. 15 line 64) , and

wherein said control apparatus comprises:

gateway means for receiving the request signal transmitted from said remote terminal apparatus via the external network, and thereafter, transmitting the received request signal to the local terminal apparatus via the local network, and for receiving an answer signal corresponding to the request signal from the local terminal apparatus via the local network, and thereafter, transmitting the received answer signal to the remote terminal apparatus via the external network (see claim 1).

Regarding claim 2, Petite disclose the local terminal apparatus comprises an electric power load apparatus, wherein said processing executing means controls said electric power load apparatus so as to selectively change over a load control status thereof, and wherein said reply means returns the answer signal including status information of the load control status selectively changed over by said processing executing means in response to the request signal (see col. 1 lines 34-45) .

Regarding claim 3, Petite disclose the local terminal apparatus comprises a supervised apparatus, wherein said processing executing means executes processing for supervising said supervised apparatus, and wherein said reply means returns the answer signal including status information of said supervised apparatus supervised by said processing executing means (the transceiver and it functions, see col. 3 lines 2-20).

Regarding claim 4, Petite discloses the external network is Internet (WAN/internet 230, see figure 10).

Regarding claim 5, Petite discloses the remote terminal apparatus is provided in a management center (server 530, see figure 10).

Regarding claim 12, Petite discloses the local terminal apparatus comprises an electric power consuming apparatus for consuming a commercial electric power,

wherein said processing executing means measures an electric power consumption of said electric power consuming apparatus, and wherein said reply means returns the answer signal including information of the measured electric power consumption in response to the request signal (col. 17 line 66 to col. 18 line 4).

Regarding claim 13, Petite discloses the processing executing means supervises a disaster status of said facility, and wherein said reply means returns the answer signal including information of the supervised disaster status in response to the request signal (the system can be used for fire reporting and damage control system, see col. 2 lines 7-15).

Regarding claim 14, Petite disclose the local terminal apparatus comprises a lighting equipment, wherein said processing executing means executes processing for selectively changing over an operating status of said lighting equipment, and wherein said reply means returns the answer signal including information of the operating status of said lighting equipment selectively changed over by said processing executing means, in response to the request signal (see col. 17 line 59 to col. 18 line 5).

Regarding claim 15, Petite discloses the processing executing means measures measurement vales of meteorological observation, and wherein said reply means returns the answer signal including information of the measurement values measured by said processing executing means, in response to the request signal (see col. 17 lines

23-33).

Regarding claim 16, Petite discloses the processing executing means detects multi-media information including image and voice signals, and wherein said reply means returns the answer signal including the multi-media information detected by said processing executing means, in response to the request signal (see col. 17 lines 34-42).

Regarding claim 17, Petite discloses the processing executing means detects human body information, and wherein said reply means returns the answer signal including the human body information detected by said processing executing means, in response to the request signal (the system can be use in alarm system, see col. 2 lines 7-15).

Regarding claim 18, Petite discloses the local terminal apparatus comprises a home delivery service box, wherein said processing executing means detects a status of the home delivery service box, and wherein said reply means returns the answer signal including the status of said home delivery service box detected by said processing executing means in response to the request signal (cable television set converter boxes, see col. 17 lines 35-42).

Regarding claim 19, Petite discloses wherein a part of the plurality of the local terminal apparatuses is provided in a personal space of said facility, and the other part

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thereof is provided in a common area space of said facility (monitor/control remote services 1010, see figure 10).

Regarding claim 20, Petite discloses the facility includes at least one of an office, a store and an apartment house, and wherein said control apparatus is one of a supervisory control panel and a lobby entryphone integrated with a controller (see col. 17 lines 53-59).

Allowable Subject Matter

Claims 6-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

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or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

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The following address mail to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolater, Hand Delivery, etc.) as follow:

U.S. Patent and Trademark Office
220 20th Street South
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Tuesday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chau Nguyen**, can be reach on **(571) 272-3126**. The fax phone number for this group is **(703) 872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Bob A. Phunkulh

Bob A. Phunkulh

**BOB PHUNKULH
PRIMARY EXAMINER**

TC 2600

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March 25, 2005